Applicant : Karsten Schulz, et al.   Attorney's Docket No.: 13909-026003 / 2003P00499
Serial No. : 10/628,561   US
Filed : July 29, 2003
Page : 10 of 14

REMARKS

Claims 1-36 are pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks herein.

Claim Objections

Claims 32-36 are objected to because of informalities. Applicants have amended the claims to overcome the objection. More specifically, each of claims 32-36 has been amended to recite an apparatus. Therefore, reconsideration and withdrawal of the objection are respectfully requested.

Claim Rejections – 35 USC §112

The Examiner has rejected claim 12 under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential elements. The Examiner has further noted that such omission amounts to a gap between the elements. This rejection is respectfully traversed.

Claim 12 has been amended herein to delete the word "that" to now read "designates a fourth task". Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Claim Rejections – 35 USC §102

Claims 1-14 and 23-28 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 6,041,306 to Du et al. ("Du"). This rejection is respectfully traversed.

When applying a reference under 35 U.S.C. §102, it is well established that a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."[1] Further, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim."[2] As discussed in further detail below, Du fails to set forth each and every element of either of claims 1 or 23. Consequently, Du

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[1] *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)
[2] *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)

Applicant : Karsten Schulz, et al.
Serial No. : 10/628,561
Filed : July 29, 2003
Page : 11 of 14

Attorney's Docket No.: 13909-026003 / 2003P00499
US

fails to show the identical method or apparatus in as complete detail as is contained in claims 1 and 23, respectively.

Each of claims 1 and 23 is generally directed to providing a combined workflow and, as amended herein, provides the features of: accepting a first workflow into a first tier of a multi-tiered workflow model, the first workflow comprising a first plurality of tasks and being associated with a first party, accepting a second workflow into the first tier of the multi-tiered workflow model, the second workflow comprising a second plurality of tasks and being associated with a second party, and abstracting the first and second workflows in a second tier of the multi-tiered model to provide respective first and second abstracted workflow views, the first workflow view including a first plurality of groupings of the first plurality of tasks, and the second workflow view including a second plurality of groupings of the second plurality of tasks. Each of claims 1 and 23 further provides the features of: ordering the first plurality of groupings and the second plurality of groupings into a combined workflow in a third tier of the multi-tiered workflow model, and adding ordering tasks to the combined workflow, the ordering tasks being operable to implement the order of the combined workflow and thereby achieve the desired result. As discussed in further detail below, Du fails to disclose the above-described features of claims 1 and 23.

Du is directed to a system and method for performing flexible workflow process execution in a distributed workflow process management (WFPM) system (see, for example, Title). More specifically, Du describes a WFPM system 10 that executes at least one workflow process (WFP) 18. Each WFP 18 includes a sequence of activities, each of which is performed by one or more computer systems 12a-d, and/or a microprocessor controlled device 16 of the WFPM system 10 (see Fig. 1, and col. 4, lines 34-44). The WFP 18 is specified by process design modules 22a-c via a WFP definition interface (see col. 5, lines 59-61).

As described in Du, the WFP 18 is a description of the sequencing, timing, dependency, data, physical agent allocation, business rule and organization policy enforcement requirements of process activities needed to enact work. The WFP 18 is represented as a directed graph 40 consisting of work nodes 41, 43, 45, 46, 48, 50, 52, 54, and rule nodes 42, 44, 47, 49, 51, 53, 55.

Applicant : Karsten Schulz, et al.
Serial No. : 10/628,561
Filed : July 29, 2003
Page : 12 of 14

Attorney's Docket No.: 13909-026003 / 2003P00499
US

Work nodes 41, 43, 45, 46, 48, 50, 52, 54 represent activities to be performed external to an HP OpenPM engine 20, and rule nodes 42, 44, 47, 49, 51, 53, 55 represent processing internal to the HP OpenPM engine 20 (see Fig. 3, and col. 6, lines 12-48).

As noted above, Du describes process design modules 22a-c that specify the WFP 18. Du, however, is silent as to the manner in which the process design modules 22a-c specify the WFP 18. For example, Du fails to describe a multi-tiered workflow model, much less accepting first and second workflows into a first tier of a multi-tiered workflow model. Further, Du fails to describe adding ordering tasks to a combined workflow, the ordering tasks being operable to implement the order of the combined workflow. Although Du describes work nodes 41, 43, 45, 46, 48, 50, 52, 54, Du describes such work nodes as merely indicating what activities are to be performed externally. Du does not describe such work nodes as being operable to implement the order of the combined workflow. For at least these reasons, Du fails to anticipate either claim 1 or claim 23.

To the extent that Du fails to describe a multi-tiered workflow model, Du also fails to disclose abstracting the first and second workflows in a second tier of the multi-tiered model, much less abstracting first and second workflows to provide respective first and second abstracted workflow views, the first workflow view including a first plurality of groupings of the first plurality of tasks, and the second workflow view including a second plurality of groupings of the second plurality of tasks. Again, and as noted above, Du is silent as to the manner in which the process design modules 22a-c specify the WFP 18, and is specifically silent as to providing first and second pluralities of groupings that are based on the first and second workflows, respectively. Consequently, Du can also not disclose the feature of ordering the first plurality of groupings and the second plurality of groupings into a combined workflow in a third tier of the multi-tiered workflow model. For at least these additional reasons, Du fails to anticipate either claim 1 or claim 23.

In view of the foregoing, Du fails to set forth each and every element of either of claims 1 or 23. Consequently, Du fails to show the identical method or apparatus in as complete detail as

Applicant : Karsten Schulz, et al.
Serial No. : 10/628,561
Filed : July 29, 2003
Page : 13 of 14

Attorney's Docket No.: 13909-026003 / 2003P00499
US

is contained in claims 1 and 23, respectively. Therefore, reconsideration and withdrawal of the rejections are respectively requested.

Each of claims 2-14 and 24-28 ultimately depends from one of claims 1 and 23, which define over the asserted reference for the reasons discussed above. Consequently, each of claims 2-14 and 24-28 also define over the asserted reference for at least the same reasons. Therefore, reconsideration and withdrawal of the rejections are respectfully requested.

Claim Rejections – 35 USC §103

Claims 15-22 and 29-36 stand rejected under 35 U.S.C. 103(a) as being obvious over Du as applied to claims 1-14 and 23-28 above, and further in view of Wil M.P. van der Aalst "Process-Oriented Architectures for Electronic Commerce and Interorganizational Workflow", *Information Systems*, Vol. 24, No. 8, pp. 639-671 (1999). This rejection is respectfully traversed.

Each of claims 15-22 and 29-36 ultimately depends from one of claims 1 and 23, which define over the asserted reference for the reasons discussed above. Consequently, each of claims 15-22 and 29-36 also define over the asserted reference for at least the same reasons. Therefore, reconsideration and withdrawal of the rejections are respectfully requested.

Other Claim Amendments

Each of claims 24-30 and 32-36 have been amended for consistency with the claim language of amended claim 23.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment. Applicants respectfully request consideration of all filed IDS' not previously considered, by initialing and returning each Form 1449.

No charges are believed due. However, if any fees are due, they are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 13909-026003.

Respectfully submitted,

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